IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 34961 of 1997

Between:

K.R. Srinivasulu, S/o Balakrishnaiah,
R/o Kalwakurthy, Mahabubnagar District.

..... PETITIONER

AND

1 A.P. Residential Educational Institutions Society
Rep. by its Secretary,
III Floor, Gagan Vihar,
Nampally, Hyderabad.
2 The Principal
A.P. Residential School (B.C. Girls), Kalwakurthy,
Mahabunagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring as illegal and arbitrary the action of the Respondent in not regularizing the services of the Petitioner in terms of G.O.Ms.No.98 Education dated 08/04/1993 and issue a consequential direction to the Respondents to forthwith regularise the services of the petitioner with all attendant benefits like arrears of salary, seniority etc.

Counsel for the Petitioner: MR.D.V.SITARAMAMURTHY

Counsel for the Respondent: MR.M.VIJAY KUMAR

The Court made the following ORDER:

ORDER:

Heard both sides and at their request the main writ petition itself is taken up for disposal.

The petitioner, who was appointed as a Contingent employee in the second respondent–School, seeks a writ of *mandamus* declaring the action of the respondents in not regularizing his service in terms of G.O.Ms.No.98 Education, dated 08.04.1993.

The case of the petitioner is that he was appointed as a Contingent employee long back as on 21.12.1992 and he was discharging his duties to the utmost satisfaction of his superiors. His grievance is that, the very similarly placed employees have already been regularised, whereas his case has remained unconsidered.

During the course of arguments, the learned counsel for the petitioner sought to place reliance on the judgment of this Court in W.P.No.21260 of 1996 dated 17.10.1997,wherein, this Court, after taking into consideration the applicability of G.O.Ms.No.98 dated 08.04.1993, disposed of the same, directing the respondents to regularize the services of the petitioners in terms thereof and pass appropriate orders.

Having considered the submissions made on either side and also in view of the directions already issued by this Court in W.P.No.21260 of 1996, this writ petition is allowed directing the respondents to regularize the services of the petitioner, in terms of the G.O.Ms.No.98, dated 08.04.1993 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly allowed. No costs.

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B.Prakash Rao, J

Date: 04.02.2005

va

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Friday, the fourth day of February, Two Thousand and Five.

To

1 The Secretary, A.P. Residential Educational Institutions Society, III Floor, Gagan Vihar, Nampally, Hyderabad.
2 The Principal
A.P. Residential School (B.C. Girls), Kalwakurthy, Mahabunagar District.

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